

Remarks

With regard to the Advisory Action that “the features upon which applicant relies (i.e., see Applicant Response on pages 1-21) are not recited in the rejected claims(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims”: In response, limitations from the specification are reflected in claims amendment and also the specification is amended for more clarification.

With regard to Examiner’s statement that “claims 1-32 are unpatentable over Lopez et al. (US 5,720,046) in view of Woo (US 5,529,569) as was indicated in Office Action of paper #8, since Lopez et al. (‘046) and Woo (‘569) teach the same method step, like “designating at least three treating regions of the trunk...” etc.: the use of total flux for the holistic magnetic therapy was disclosed by Woo (‘569)”:

In response, the Figures of drawings of present invention are depicted below along with the Figures of drawings of Lopez et al. (‘046) recited in the subject rejection for instant reference. In addition, detail abstracts are quoted hereunder step-by-step for each of the arguments in the following format to provide a factual evidence and instant verification to prove that Lopez et al (‘046) and Woo (‘569) teach no such method step, like “designating at least three treating regions of the trunk”.



FIG. 2

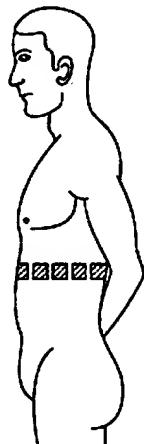


FIG. 5

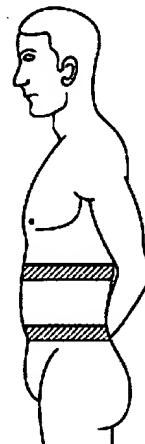


FIG. 7

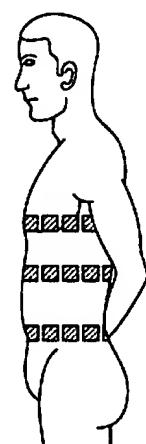


FIG. 11

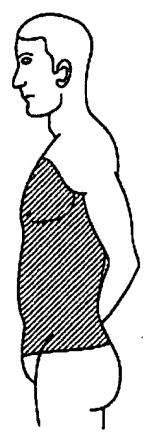


FIG. 3

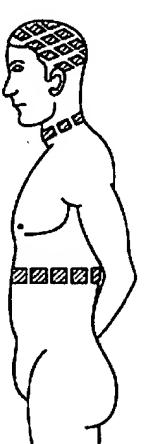


FIG. 9



FIG. 12

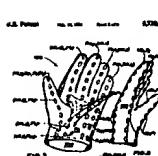


Fig 3 & 5

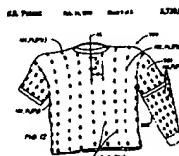


Fig 12

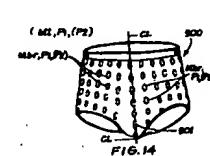


Fig 14

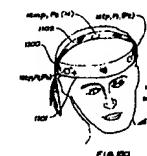


Fig 16a

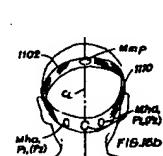


Fig 16b

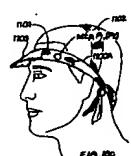


Fig 16c



Fig 19a

The text of claim rejection of paper #8 reads as follows:

"Claims 1-32 are rejected under 35 U.S.C.103(a) as being unpatentable over Lopez et al. (US 5,720,046)046) in view of Woo (US5,529,569.

Lopez et al. ('046) teaches

- 1) a method of treating and alleviating afflictions, ailments and diseases holistically by application of magnetism to a plurality of treating regions of the trunk, hands, head and neck (see abstract, Figures 3-5, 12, 14, 16a-16c and 19a):
- 2) the method comprising designating a total treating region; providing magnet means having at least one north pole surface adapted for application to the plurality of treating regions of the
 - a) **Trunk** (see Figure 12 and column 8, lines 8- 19),
 - b) **Hand** (see column 6, lines 5-60),
 - c) **Head** (see Figure 16a-16C and column 9, lines 32-56),
 - d) **Neck** (see Figure 19a and column 10, lines 21-32),
- 3) contacting the magnets directly to the treating regions of the trunk by using a proper band, wrapper or cover with magnets sewn-in or encased in any shape of form appropriate to fit the treating regions of the trunk of a person (see abstract Fig 12 and column 8, lines 7-18):

But they do not teach:

- 1) a method of treating and alleviating afflictions, ailments and diseases holistically by application of magnetism to a plurality of treating regions of the trunk of a person being treating
- 2) comprising applying a north pole surface of a magnet to at least one of a plurality of treating regions of the trunk,
- 3) the magnet having a size of $1/8" \times 1/8"$ to 28"x43";
- 4) maintaining the magnet in contact with at least one of the treating regions of the trunk for a period of 15 to 180 minutes to heal and relieve afflictions,
- 5) wherein the total flux of the magnetic means applied to the at least one of the treating regions of the trunk being in the range from about 30 ϕ -250,000 ϕ ;
- 6) repeating the application of the magnet for at least one additional period of time;
- 7) repeating the time period for treatment at least once in a 24 hour period in an interval of about 2-10 hours in accordance with treatment progress;
- 8) applying the magnet to treating regions of the trunk of a person concurrently,

9) wherein a total flux of the magnet applied to the treating regions of the trunk is substantially equal.

However, Woo ('569) teaches a method of treating and alleviating pains and inflammation of human afflictions by

- 1) application of a north pole surface of a magnet to at least one hand of the body of a person being treated comprising steps of
- 2) maintaining the magnet in contact with said at least one hand for a period of from 30 minutes to about 2 hours to heal and relieve pain,
- 3) the total flux of the magnetic means applied to at least one hand being in the range from about 5,000 ϕ -250,000 ϕ ,
- 4) wherein the total flux of the magnet means applied to each hand is substantially equal.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of treating and alleviating afflictions, ailments and diseases holistically

- 1) by application of magnetism to a plurality of treating regions of the trunk, hands, head and neck of Lopez et al. ('046)
- 2) by the method of treating and alleviating pains and inflammation of human afflictions of Woo ('569),

since Lopez et al. ('046) teaches:

- 3) the method of treating the human trunk regions using articles of clothing with permanent magnets and

Woo ('569) teaches:

- 1) the flux of the magnets required to perform such treatments.

Further, it would have been obvious to one of ordinary skill in the art at the time of the invention

- 1) to modify the magnets of Lopez et al. ('046) to use magnets having a size of 1/8" x 1/8" to 4"x18" to 13"x43",
- 2) since it has generally been held to be within the skill level of the art to perform routine experimentation for implementing the magnets as claimed.

Detail responses are as follows:

Lopez et al. ('046) teaches:

- 1) a method of treating and alleviating afflictions, ailments and diseases holistically by application of magnetism to a plurality of treating regions of the trunk, hands, head and neck (see abstract, Figures 3-5, 12, 14, 16a-16c and 19a):

In response, the abstracted Figures of drawings are displayed above for reference.

The words of "Treatment of Afflictions, Ailments and Diseases holistically" signify a meaning of treating sicknesses involving all levels of severity of ailing conditions from mild to acute severity including chronic nature, and this is what it meant by the Title of present invention, and the method of treatment thereof is possible only by utilizing the condition of five element meridian rules applied or met for the regions to treat and the use of total flux system, therefore, where the five element meridian rules and total flux system are not applied like the case of Lopez et al, the method of such treatment is impossible.

Regarding to application of magnetism to a plurality of treating regions of the trunk, hands, head and neck, the present invention defines the treating regions as A, B and C sections of a body trunk as shown in Fig 2 above, and these trunk regions are not being disclosed by either one of Lopez et al ('046) and Woo ('569). The treating regions of hands, head and neck of Lopez et al of the subject argument are in fact irrelevant for the present invention.

The head and neck region of Fig 9 above are not a part of a plurality of treating regions of the trunk of the present invention with which has only three sub-regions to apply. The head and neck regions are the method of prior art of Woo(US Patent No.6,379,295B1 and US Patent Notice of Allowance Appl. No.09/722,239) that may be utilized with the trunk method of present invention (see page 10, lines 21-26), as a secondary process. It is thus unclear why the claims are rejected based on that comments. However, applicant has canceled the relevant claims of head and neck combined application without prejudice.

- 2) the method comprising designating a total treating region; providing magnet means having at least one north pole surface adapted for application to the plurality of treating regions of :

a) **Trunk** (see Figure 12 and column 8, lines 8- 19):

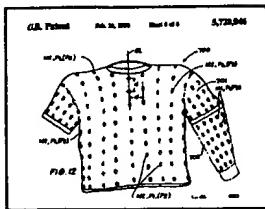


FIG 12 shows human torso-worn garment merchandise in the form of a T-shirt 700 having an embedded magnetic structural arrangement Mt distributed evenly, as depicted by spacing d, in an orderly fashion throughout the body of T-shirt, including short sleeves 701, or alternatively on long sleeves 702, substantially as shown. The inwardly directed polarity of magnets Mt is preferably all the same polarity, i. e., all PI, or all P2. Upon T-shirt being worn by a human, the underlying regions of the upper torso and arms are magnetically exposed by the permanent magnets Mt. The exposure is believed to therapeutically impact the upper torso and arms.

In response, first of all, this T-shirt region of Fig 12 is useless for present invention because the shape of T-shirt covers a plurality of treating regions of arm, shoulder and neck, besides trunk regions, involving meridians of hands and feet that are conflicted one another causing a confusion and imbalance for the affected meridians, not to mention the use of both poles of North and South endangering treating patients by getting worse. As for evidence, present invention excludes the regions of neck, shoulder and arm from the trunk region as shown in Fig 2 above. And for the argument to the use of North Pole, there is no such descriptive phrase of "providing magnet means having at least one North Pole surface adapted for application to the plurality of treating regions of the trunk" in the abstract reference of Fig 12 and column 8, lines 8-19 of Lopez et al, as shown above.

b) **Hand** (see column 6, lines 5-60),

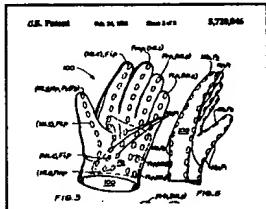


FIG. 3 shows a palm side view of general purpose glove 100 provided with embedded magnetic structure in the form of a plurality of discrete permanent magnets Mp of a first polarity PI, or alternatively a second polarity P2, arranged to extend serially from the distal end of each of the glove's digits towards the glove's wrist end, denoted by letters t Ftp (thumb-wrist), Fip (index finger-wrist), Pmp (middle finger-wrist), Frp (ring finger-wrist), and Flp (little finger-wrist).

The serial arrangement of magnets Mp on each digit follows a centerline of each digit and spaced apart on the pale and wrist area of the glove. The polarity, PI (P2), of permanent magnets Mp is oriented inwardly towards the inside of the glove, substantially as illustrated in FIG.24. Similarly, FIG. 4 shows a back side view of

glove 100 also provided with embedded magnetic structure in the form of a discrete permanent magnets Mb of second polarity P2, or alternatively a second polarity P1, arranged to extend from the distal nail-end of each of the glove's wrist end, denoted by the letters Ftb (thumb-wrist), Fib (index finger-wrist), Fmb (middle finger-wrist), Frb (ring finger-wrist), and Flb (little finger-wrist). Glove 100 is preferably constructed having an inner layer I 0 I and an outer layer toe for adhesively containing each discrete magnet Mp. The permanent magnets each have a magnetic field strength of at least 800 gauss and are of the type commercially available from Ihasa medical supplies. Inc., Accord, Mass, USA. The magnetic field that is produced by the plurality of magnets Mp, Mb is directed at strategic points on the wearer's hand, which points relate to the human body according to shiatsu practice. By example, glove 100 represent a left hand glove where the magnets along the middle finger to the wrist portion, (palm side PS and backside BS), of the glove relate to the body regions along meridian line (ML1 ML6), beginning at the head and ending at groin. Similarly, the magnets along the ring finger to the wrist portion of the glove relate to the body regions along meridian line MLS, ML8), beginning at the left hand and ending at the left shoulder, the magnets along the little finger to the wrist portion of the glove relate to the body regions along meridian line (ML2, M19), beginning at the left foot and ending at the left hip, the magnets along the index finger to the wrist portion of the glove relate to the body regions along meridian line (ML4, ML7), beginning at the right hand and ending at the right shoulder, and the magnets along on the thumb to the wrist portion of the glove relate to the body regions along meridian line (ML3, ML10), beginning at the right foot and ending at the right hip. Upon the glove 100 being worn on a human hand, the underlying regions of the hand are magnetically exposed by the permanent magnets Mp, Mb. The exposure is believed to therapeutically impact the human body parts along the meridian line (ML1-ML10), Fig 5 shows a side view of the general purpose glove illustrated in FIG.3 and 4 showing the preferred side-by-side arrangement of the permanent magnets embedded in the glove's fabric, see also FIG 24.

In response, the glove illustrated above seems to be irrelevant and not applicable to the subject matter of present invention. Also there is no such descriptive phrase of "providing magnet means having at least one North Pole surface adapted for application to the plurality of treating regions" in the abstract reference above, and it is not clear why the argument raised that way.

c) **Head** (see Figure 16a-16C and column 9, lines 32-56):

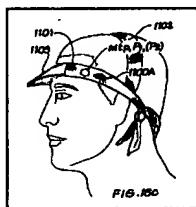
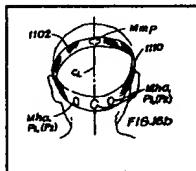


Figure 16a, 16b, 16c and column 9, lines 32-56, FIG.16a shows human headwear merchandise in the form of a combination-type of headgear 1100. Headgear 1100 includes a traditional headband 1101 in combination with an across-the- head band member 1108. Headgear 1100 is formed having a strategic embedded magnetic structural arrangement in the form of discrete permanent magnets Mtp positioned on band member 1101 for contacting a wearer's 1 temporal region, discrete magnets Mmp positioned on band I member 1102 for contacting a wearer's soft spot, and discrete magnets Mha positioned at rear band portion 1110, (see FIG. 16b), for contacting a wearer's uppermost vertebrae at the base of the skull. The inwardly directed polarity of magnets Mtp and Mha may be either P1 or P2, see FIG. 23, while the inwardly directed polarity of magnet Mmp is preferably P2(N).

In response, the head region method of prior art of Woo may be used with the trunk method of present invention concurrently (see page 10, lines 21-26) - the use of the head, neck and trunk method in combination is not a main process but serves only as a secondary process for present invention. However, Examiner is reluctant to allow the claims, thus applicant has canceled the relevant claims for head and neck combined application without prejudice (see Fig 9 above).

d) **Neck** (see Figure 19a and column 10, lines 21-32);

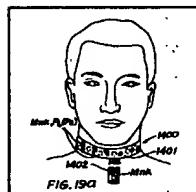


FIG. 19a shows human appendagewear merchandise in the form of a neckband 1400 Having an embedded structural arrangement in the form

of a plurality of circumferentially distributed permanent magnets Mn_k embedded in a neck band member 1401, and a suspended band member 1402. The inwardly directed polarity of magnets Mn_k may be either P1, or P2, see FIG 23. Upon neckband 1400 being worn by a human, the underlying region around the wearer's neck and upper sternum regions are magnetically exposed by the permanent magnets Mn_k. The magnetic exposure around the neck and upper sternum regions is believed to therapeutically impact the neck and sternum.

In response, neck region method of prior art of Woo can be used with the trunk method of present invention concurrently (see page 10, lines 21-26) - the use of the neck and head method of prior art of Woo and the trunk method in combination is a secondary process for present invention, however, Examiner is reluctant to allow the claims, thus applicant has canceled the relevant claims without prejudice (see Fig 9 above).

- 3) contacting the magnets directly to the treating regions of the trunk by using a proper band, wrapper or cover with magnets sewn-in or encased in any shape of form appropriate to fit the treating regions of the trunk of a person (see abstract Fig 12 and column 8, lines 7-18):

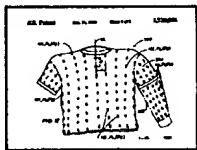


FIG 12 shows human torso-worn garment merchandise in the form of a T-shirt 700 having an embedded magnetic structural arrangement Mt distributed evenly, as depicted by spacing d, in an orderly fashion throughout the body of T-shirt, including short sleeves 701, or alternatively on long sleeves 702, substantially as shown. The inwardly directed polarity of magnets Mt is preferably all the same polarity, i.e., all P1, or all P2. Upon T-shirt being worn by a human, the underlying regions of the upper torso and arms are magnetically exposed by the permanent magnets Mt. The exposure is believed to therapeutically impact the upper torso and arms.

In response, Fig 12 above shows no such method of contacting the magnets directly to the treating regions of the trunk by using a proper band or wrapper (see Fig 12 above) in such way to maintain

the magnet(s) in contact to the skin of the trunk at 90-degree angle of healing position (see Fig 12 above), but, instead, it shows only how to place or embed the magnets to the T-shirt of torso-worn garment merchandise, which is not applicable to the trunk method of present invention.

As stated thus far, there is no evidence to indicate Lopez et al ('046) teaches such method step, like "designating at least three treating regions of the trunk" and it is unclear why the rejections are based on that comment.

However, Woo ('569) teaches a method of treating and alleviating pains and inflammation of human afflictions by

- 1) application of a north pole surface of a magnet to at least one hand of the body of a person being treated comprising steps of
- 2) maintaining the magnet in contact with said at least one hand for a period of from 30 minutes to about 2 hours to heal and relieve pain,
- 3) the total flux of the magnetic means applied to at least one hand being in the range from about 5,000 ϕ -250,000 ϕ ,
- 4) wherein the total flux of the magnet means applied to each hand is substantially equal.

In response, the method of Woo ('569) utilizing the above 4 features of application to the hand is applicable to the Hand/Finger meridian functions only in terms of magnet contact method, time period for treatment, control of healing powers and balance treatment for hand meridians and does not have any element to the composition of trunk regions of A,B and C of present invention (see Fig 2 above) and details are as follows:

For 1): North Pole is used as a healing energy for ailments and also used to affect or control meridian system into a balance and order provided the condition of five element meridian rules is applied and met for a treating region(s) of the body to apply.

For 2): This pertains to treatment time period(s) which is determined by a selected total flux based on the type of ailment and its severity, meridians involved, treatment progress et. Therefore, this practice is not appropriate or applicable for the T-shirt method of Lopez et al. ('046) of therapeutical magnetic exposure or impact set by a fixed healing power of 800 gauss.

For 3): As stated above, total flux determines a level of healing power for the type of ailments and its severity, meridians involved and treatment time period, etc. The use of 5000φ-250,000φ total flux is applicable for handling a broad range of afflictions, ailments and diseases in all levels of severity including chronic nature involving the meridians of disequilibrium state, therefore the use of total flux is not appropriate or applicable for the T-shirt method of Lopez et al.('046) whose power is limited by only 800 gauss for use solely for garment wears of therapeutical magnetic exposure for the designed method of treatment. Strong magnets of higher gauss are not usable under conventional method of prior art for the reasons of safety and effectiveness and the highest power level disclosed by Griffin et al. US Patent No.4,587,96 for magnetic treatment in safe at the time of the invention of Woo ('569) was 8,000 gauss (see Griffin et al. column 7, lines 44-52, column 8, lines 51-68 and column 9, lines 1-10).

For 4): The use of total flux equally to the hands is for the balance treatment to bring all hand meridians into a balance and order, therefore this practice is not appropriate or applicable for the T-shirt method of Lopez et al.('046) utilized for therapeutical magnetic exposure and impact which is not for restoring the meridian's flow balance and order.

As stated thus far, there is no evidence to indicate Woo ('569) teaches such method step, like "designating at least three treating regions of the trunk", and it is unclear why the rejection is based on that comment.

It would have been obvious: to one of ordinary skill in the art at the time of the invention to modify the method of treating and alleviating afflictions, ailments and diseases holistically

- 1) by application of magnetism to a plurality of treating regions of the trunk, hands, head and neck of Lopez et al. ('046)
- 2) by the method of treating and alleviating pains and inflammation of human afflictions of Woo ('569),

since Lopez et al. ('046) teaches:

- 3) the method of treating the human trunk regions using articles of clothing with permanent magnets and

In response:

For 1): Question is duplicated. See the response for Lopez et al. ('046) teaches 1), in page 5, for detail justification. However, applicant has canceled the relevant claims of head and neck combined application without prejudice.

For 2): Duplicated item - see the response of Woo teaches for detail justification, on page 10 and 11.

For 3): The articles of clothing with permanent magnets is used for therapeutical magnetic exposure or impact for whole regions of T-shirt wear including the regions of arm, shoulder and neck, thereby causing a confusion and imbalance for the element meridians in conflict, therefore, the regions of T-shirt and the articles of clothing with permanent magnets are useless for the trunk method of present invention. See Fig 2 above for trunk regions.

Woo ('569) teaches:

- 1) the flux of the magnets required to perform such treatments.

In response, the flux of the magnet is a healing energy but does not have any element to compose a treating region of five element meridian rules. Yet the flux of the magnet has a capability to affect or control flow balance of the meridians only in a treating regions where the condition of the five element meridian rules is applied or met. So, the flux of the magnet of Woo ('569) itself does not provide any condition of five element meridian rules for the T-shirt method of Lopez et al. ('046).

Further, it would have been obvious to one of ordinary skill in the art at the time of the invention

- 1) to modify the magnets of Lopez et al. ('046) to use magnets having a size of 1/8" x 1/8" to 4"x18" to 13"x43",
- 2) since it has generally been held to be within the skill level of the art to perform routine experimentation for implementing the magnets as claimed.

In response for 1) and 2) both, the method of Lopez et al ('046) uses magnets of 800 gauss with the size of 0.03"D x 0.05"T to 2.0"D x 0.5"T, thus the range of healing power is limited by 800 gauss and its size within a range of up to about 500 ϕ and no option of selection other

than within the power of 800 gauss is available. Whereas, the method of present invention using total flux equation formula provides a flexibility of options to select and control all levels of healing powers within a range of up to 250,000 ϕ and treatment time period based on type of ailment and its severity, meridians involved, size of treatment area or region to apply and treatment progress, etc., so as to meet a practical challenge of treating various levels of sickness from a mild to a severe condition under all situations of imbalance and disorder of the meridians, handling all levels of severity of the afflictions and ailments with a desirable healing power level of effectiveness. Therefore, using magnet size under present invention does not mean anything much except for a double protection purpose.

Accordingly, the magnet size described in independent claim 1 of present invention is now deleted to satisfy the requirement for the claims to be allowed.

As stated thus far, there is no evidence to indicate Lopez et al ('046) and Woo ('569) teach such method step, like "designating at least three treating regions of the trunk", and it is unclear why the rejection is based on that comment.

The typical features of distinctive points in the present invention are as follows:

- 1) Division of the trunk into 3 treating regions based on the physical location of organs of conflicted meridians
- 2) Utilizing separate magnet means for each regions of the trunk.
- 3) The application of the magnet means only to a portion of the trunk.
- 4) Apply magnetism to a portion of the trunk of a person to treat concurrently of multiple afflictions, ailments and diseases of the entire body for holistic total healing effect.
- 5) Applying the magnet means to the chest, upper abdomen and lower abdomen region of the trunk in such way to bring the meridian systems into a balance and harmony for the respective organs of conflicted meridians.
- 6) Applying the magnet means to a plurality of treating regions of the trunk concurrently for a balanced treatment of meridians.
- 7) The balanced application for the magnet means to each of the 3 trunk regions.
- 8) Balanced treatment for the meridians and its organs in conflict with five element rules.
- 9) Maintaining the magnet in contact with only North Pole surface at 90-degree angle for the time periods for treatment.

- 10) Maintaining in contact of magnet(s) for the time period sufficient to produce a pain mitigation and relief from ailing part of the body.
- 11) Repeating the application of magnet means in a time interval.
- 12) The range of total flux used is 10φ-250,000φ.
- 13) Total flux of the magnet(s) applied to all treating regions of the trunk of a person is substantially equal for balanced treatment of meridians.
- 14) The use of total flux provides a flexibility of options to select and control healing power, magnet weight and pulling/repelling distance and treatment time period based on type of ailment, condition of severity, size of treatment area or region to apply and treatment progress thereof.
- 15) The use of total flux provides such options of healing power adjustment to meet a real challenge of treating various levels of sickness from a mild to a severe condition.
- 16) The use of total flux provides to handle all levels of severity of the afflictions and ailments by selection of a desirable effectiveness under all situations of imbalance and disorder of the meridians.

These typical features of distinctive points in the present invention, such as set forth in claims, are believed to be more than obvious modifications to the method disclosed by Lopez et al. ("046). These are specifically recited steps in the dependent claims, not disclosed by Lopez et al, and should be allowable for that reason alone in addition to the fact that they are dependent from independent Claim 1 which is believed to be allowable.

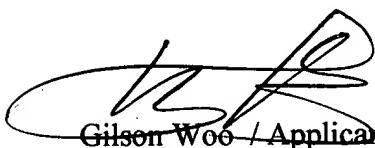
Specification and claims are amended within the scope of the present invention.

No new matters are added. Claim 1-12, 16-17, 20-32 remain and new claims 33-38 are added.

Claims 1, 2, 5-12, 20, 21, 23 and 29 are amended, and claims 13, 14, 15, 18, and 19 are canceled.

In view of the above, it is now believed that all claims meet the statutory requirements of usefulness and novelty for the reasons set forth hereon in this Advisory Action Reply and the present invention, and that claims 1-12, 16-17, 20-32 and newly added claims 33-38 are allowable and it is requested that the case be passed to issue with these claims therein. Should there be any question, the Examiner is requested to call the undersigned applicant at the Los Angeles, California, telephone number (909) 468-5147, 909-444-1126.

Respectfully submitted,



Gilson Woo / Applicant

September 8, 2003